

**CITY OF WESTMINSTER, MARYLAND
MAYOR AND COMMON COUNCIL MEETING
SEPTEMBER 13, 2010**

QUORUM:

A meeting of the Mayor and Common Council was held in the Council Chambers at City Hall, 1838 Emerald Hill Lane, Westminster, Maryland on the evening of September 13, 2010, at 7:00 P.M. Mayor Utz; Council President Halstad; Council Members Albert, Chiavacci, and Wack; City Administrator and Acting City Clerk Wolf, Acting City Treasurer Ehlers; Chief of Police Spaulding, Director of Planning, Zoning, and Development Beyard, Director of Public Works Glass, Director of Recreation and Parks Schroers; and City Attorney Levan were present. Councilman Pecoraro was excused from attending.

MINUTES:

Upon motion of Mr. Chiavacci, seconded by Dr. Wack and unanimously passed, the minutes of the Council meeting of August 23, 2010 were approved.

REPORT FROM THE MAYOR:

Mayor Utz reported that he and the Common Council received a "thank you" from the Dudderar family for the flowers that were sent for John Dudderar's funeral.

REPORTS FROM STANDING COMMITTEES:

President Halstad reported that he was out of town when Mr. Dudderar's funeral was held. He stated that Mr. Dudderar was a terrific public servant for the years he worked for the City. He added that he was very helpful and went out of his way to be helpful.

ORDINANCES AND RESOLUTIONS:

Mr. Beyard summarized that the Zoning Text Amendment No. 10-1 was originally introduced with a number of six Historic District Commission members, but after discussion from the Planning and Zoning Commission, followed by the Mayor and Common Council, it was amended to say "up to seven" members. However, he explained that after consulting with the City Attorney, the consensus of opinion is to make it "seven." Mr. Beyard recommended the adoption of Zoning Text Amendment No. 10-1 and Ordinance No. 814 (as amended August 23rd) to expand membership of the Historic District Commission. Mrs. Albert motioned to approve the text amendment. Dr. Wack seconded and the motion passed unanimously.

Mr. Beyard explained that Resolution No. R10-7 is a requirement for the application of Community Legacy funding. He stated that the City is applying for \$491,000 in funding. He explained that \$486,900 of that funding will be used to extend the street lighting on

Pennsylvania Avenue from Union Streets to the city line at Sullivan Avenue. He added that the remaining \$4,100 will be used to update and renew welcome signs in downtown Westminster. Mr. Beyard recommended that the approval of Resolution No. R10-7. Upon motion of Mr. Chiavacci and seconded by Dr. Wack, the recommendation was unanimously approved.

Mr. Beyard summarized that the introduction of Ordinance No. 815 would create the text for the Arts and Culture Overlay Zone. He explained that the ordinance is consistent with the recommendations that came from the Arts and Cultural Task Force. He added that the Planning and Zoning Commission will be reviewing this and making recommendations on October 14th and the Mayor and Common Council will conduct a public hearing on November 8th. He stated that once adopted, a zoning map amendment to create the overlay zone will be presented. Mrs. Albert motioned to approve the introduction of Ordinance No. 815 for the Arts and Culture Overlay Zone. Mr. Chiavacci seconded and the motion passed unanimously.

NEW BUSINESS:

Chief Spaulding summarized that the Department of Defense has a program entitled The 1033 Program, which authorizes the military to share certain types of access to military equipment with State and Local law enforcement agencies. He stated that the Westminster Police Department took advantage of this program in 2006 and obtained nine M-16 rifles for use in their patrol rifle program. He explained that the program requires that each state designate a lead agency to facilitate the program in that state. He went further to say that, in Maryland, the designated agency is the State Police. The State Police requires that the Chief Executive Officer of each Maryland law enforcement agency sign a Memorandum of Agreement, which spells out the operating guidelines for the program participants within the State. Chief Spaulding requested that the Mayor and Common Council authorize him to sign the Memorandum of Agreement so that the Westminster Police Department can continue their participation in the Department of Defense personal property sharing program. Upon motion of Mr. Chiavacci and seconded by Dr. Wack, the request was unanimously approved.

Chief Spaulding reminded the Mayor and Common Council that the Police Department has been in the process of replacing their legacy records management system with a unified system that will be shared by all law enforcement agencies in the County. He explained that the department's goal has been to obtain grant funding to allow them to convert the legacy system data to the new system so that maintenance on the legacy system would no longer be necessary. He added that after consulting with the vendor, funding of \$25,000 would be required for the data conversion. He explained that an application was submitted to the same funding source this year that awarded them \$13,800 last year. He informed the Mayor and Common Council that on August 20th, they were notified that the grant was approved for the full amount. He emphasized that there are no matching fund requirements for this grant. Chief Spaulding requested that the City's acceptance of this grant and authorize him to sign the acceptance letter on behalf of the City of Westminster. Dr. Wack motioned to approve the request. Mr. Chiavacci seconded and the motion passed unanimously.

DEPARTMENT REPORTS:

President and C.E.O. of the Westminster Fire and Hose Company No. 1 Bob Cumberland reported that for August they received 154 fire calls with 60 in the City, 77 in the County, and 17 mutual aides with an average of nine people per call. He added that the busiest box was 314 which is the Malcolm Drive and Main Street area. He they have received 1,057 fire calls this year and the fire loss this is at \$556,950. He also reported that, in August, they received 368 EMS calls, averaging approximately 11 calls per day. He added that, year-to-date, they have received 3,187 EMS calls, which is an increase of 125 calls from last year. He stated that their two busiest boxes were 331 and 31 which is the downtown area. He explained that they staffed their third unit 39 times in August which brought them to 456 times it was staffed this year. In closing, Mr. Cumberland stated that they are still looking at different makes and models of fire apparatuses to replace a piece that is over ten years old.

Mr. Glass recapped the discussion from the previous Council meeting where he warned that the City may be tripping into the drought management plan triggers that could take us into the yellow. He stated that since that meeting, the City has fallen into Stage 2 – Code Yellow – Voluntary Restrictions. He explained that the City encourages reductions, on a voluntary basis, in outdoor water usage such as lawn sprinklers, washing pave surfaces, topping swimming pools, and bulk water sales. He stated that due to the time of year, he expects the water demands to decrease and he is encouraged that rainfall will pick up as fall arrives. He added that the City will remain in the yellow condition until things return to normal, but at this point, he does not expect to decline any further to red.

Mr. Schroers reminded that Mayor and Common Council that Fallfest will be held September 23rd through the 26th.

Mr. Ehlers reported that, last week, the external auditors completed their first full week of fieldwork. He added that he feels things went smoothly with only a few questions so far.

Chief Spaulding reported that with the County elections on Tuesday, the department will be making their normal checks at the polls and election headquarters. He stated that they are prepared for any eventualities that occur, but they are expecting none.

Mr. Beyard reported that the Planning and Zoning Commission made its recommendations on the Comprehensive Rezoning Map at its recent meeting. He added that there were no comments during their hearing. He also reported that the Board of Zoning Appeals will meet, for the first time, on September 21st for an orientation meeting.

Ms. Wolf reported that she and the Mayor recently met with the new McDaniel College President, Dr. Roger Casey. She stated that they were very impressed with him and she feels he is going to be a wonderful addition to the community. She added that he has

agreed to attend the September 27th Common Council meeting. Finally, Ms. Wolf reported that the lion statue is scheduled for delivery to the Westminster Public Library early Tuesday morning, closing that section of Main Street until approximately 8:00 am. She added that the lion will remain covered until it is unveiling on Friday.

CITIZEN COMMENTS:

Lori Graham, 118 Pennsylvania Avenue, announced that September 24th is Fantastic Friday at FallFest. She explained that this is a dedicated day for the developmentally disabled children. She encouraged the Mayor and Common Council to come out for this day, since the children love being around people and look at politicians as celebrities. She reported that Midnight Madness has expanded with more music and added ghost walks. She added that the CMC will be making their first attempt to stream the FallFest parade live through the internet. Ms. Graham also reported that plans for Miracle on Main Street are coming along nicely. She stated that the Westminster Lions Club has again partnered with the City of Westminster Recreation and Parks Department for Santa's Treat. She added that parade applications have been sent out with some being received back already. She revealed that they received a request from an applicant that their float is located very close to the front of the parade line so that they can give out 6,000 gifts they have to the children along the parade route. Ms. Graham requested clarification from Chief Spaulding regarding an upcoming event that is putting him on top of a donut shop.

Chief Spaulding explained that he and Lieutenant Winner of the Maryland State Police will be on top of the Westminster Dunkin' Donuts from 6:00 am on September 25th through noon on September 26th. He stated that they are one of six of these activities going on state-wide. He added that their goal is to raise \$30,000 for Special Olympics in 30 hours. He went on to say that money can be dropped off onsite. He stated that they have great activities planned for kids from noon to 4:00 pm including a climbing wall, police demonstrations (K-9 and motorcycle), and a moon bounce.

Finally, Ms. Graham congratulated Command Sergeant Major Tom Beyard for receiving the Order of St. Michael Bronze Award for outstanding contributions in Army aviation.

Mr. Cumberland added that on September 25th the Fire Department will be having a pancake feed starting at 6:00 am at the fire hall.

ADJOURN:

Council President Halstad adjourned the meeting at 7:23 PM.

Respectfully Submitted,

Elizabeth L. Fahey